THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No. 21082 of 2007

Dated: 06.10.2007

Between:

Y. Tirupataiah.

..Petitioner.

and

The Government of A.P., rep. by its Secretary, Industries & Commerce (Mines II) Department, Secretariat, Hyderabad and others.

..Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.21082 of 2007

ORDER:

Heard the learned counsel for the petitioner Sri M. Vijaya Kumar and the learned Assistant Government Pleader for Industries.

2. This writ petition is filed for a writ of mandamus declaring the action of the second respondent in issuing the proceedings L.Dis. No.2923/Q2A/2006, dated 22.11.2006 rejecting the application of the petitioner and not granting the relief of temporary permits by the first respondent, as illegal, arbitrary and violative of Articles 14,19 and 21 of the Constitution of India and further to declare that the petitioner is entitled for grant of temporary permits pending disposal of the revision before the first respondent.

3. It is stated that the petitioner was granted quarry lease for road metal and building stone and from October, 1995 onwards he had been operating the quarry in Sy.No.24 of Bowlavada village, Anakapalli Mandal to an extent of 1.00 Hector. The lease came to an end on 21.04.2004. It is also stated that the application of the petitioner was rejected by proceedings, dated 22.11.2006, by the second respondent-Deputy Director and the same is totally

erroneous. It is stated that a revision had been preferred to the first respondent-the Government and the said revision is said to be pending. Several facts had been narrated in detail in the affidavit filed in support of the writ petition, wherein it is stated that rejection of the application of the petitioner cannot be sustained.

4. It is needless to say that when the revision is pending, the petitioner is at liberty to raise all these contentions before the first respondent. Let the first respondent dispose of the revision at an early date, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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P.S.NARAYANA, J

Dated: 06.10.2007

Note:
Issue CC in three days.

(Bo)

sj